



# Town of Hopkinton Planning Department

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330 Main Street, Hopkinton NH 03229-2627 - (603) 746-8243 – [planzone@hopkinton-nh.gov](mailto:planzone@hopkinton-nh.gov)

## HOPKINTON ZONING BOARD OF ADJUSTMENT NOTICE OF DECISION FEBRUARY 2, 2021

Notice is hereby given that the Hopkinton Zoning Board of Adjustment met on Tuesday, February 2, 2021, at 5:30 PM via Zoom platform and made the following decisions:

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**#2021-1 56 Maple Street, LLC** Equitable Waiver of Dimensional Requirements from Zoning Ordinance Section 4.2 for two (2) accessory garages constructed with less than the required front yard setback for the VR-1 district. The property is located at 56 Maple Street, Tax Map 102, Lot 44.

Seth Greenblott, seconded by Andrew Locke, moved to **APPROVE** Application #2021-1 as presented. Motion passed in the affirmative (Locke – yes, Lipoma – yes, Greenblott – yes, Scheinman – yes, and Rinden – yes).

Reason for approval as follows:

- 1) The owner or owner's agent made a good faith error in measurement or calculation as before having the accessory garages constructed, the Applicant and his agents measured the setbacks.
- 2) The owner's surveyor discovered the violations while preparing a condominium site plan after the accessory garages had been constructed within the front yard setback.
- 3) The violation does not constitute a public or private nuisance, nor diminish surrounding property values, nor interfere with or adversely affect any present or permissible future use of the property. The garages are .6 feet and 1.8 feet less than the required front yard setback. In comparison, the residential building is pre-existing, grandfathered, that encroaches into the front setback considerably more than either of the accessory garages.
- 4) The cost to correct the violation would be inequitable compared to any public benefit in having one garage moved .6 feet, and the other moved by 1.8 feet.

Karen Robertson  
Planning Director

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Ordinance §15.10. "Representations made at the public hearing or material submitted to the Board by an applicant for a special exception or variance concerning features of proposed buildings, structures, parking, or uses which are subject to regulations pursuant to subsection 15.8.2 or 15.8.3 shall be deemed conditions upon such special exception or variance."

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Adopted: 03/02/2021.

*Note: Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Ordinance #12, pursuant to Executive Order 2020-04, the Board was authorized to meet electronically. There was no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. In accordance with the Emergency Order, public access to the meeting by video and telephone was provided. All members of the Board had the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public had access to listen contemporaneously and, if interested, participate in the meeting through the website: <https://zoom.us/j/99890143215> or by dialing the following phone #: 1-929-205-6099 and using Meeting ID: 998 9014 3215. A mechanism for the public to alert the Board during the meeting if there were problems with access was provided.*